

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PHYLISSAPHINE JACKSON, #171926

Plaintiff,

CIVIL ACTION No.2: 05-CV-991-D

v.

CYNTHIA WHEELER (CAPTAIN), et al.,

Defendant.

AFFIDAVIT

Before me, the undersigned Notary Public, did personally appear Cynthia S. Wheeler who being duly sworn deposes and makes the following statement:

My name is Cynthia S. Wheeler. I am an individual over the age of nineteen years and am employed by the State of Alabama, Department of Corrections, at Julia Tutwiler Prison for Women, 8966 U.S. Highway 231, Wetumpka, Alabama. I am employed in the capacity of Correctional Officer Supervisor II.

I have read the complaint in the above referenced case. I make the following statement in defense of thereof; On September 21, 2005, (approximately (4) four days after the alleged sexually assault) Inmate Phylissaphine Jackson reported to a nurse, that she Inmate Jackson was sexually assault by Officer Alex Amamoo. Once the Nurse advised security personnel, Warden Gladys S, Deese and Captain Cynthia S. Wheeler spoke with Inmate Jackson. All of the necessary steps were taken to ensure that Inmate Jackson was examine and protected. Inmate Jackson was assigned to the Restriction Dorm #5 on September 19, 2005, for a rule violation when these allegations were made. After Inmate Jackson was not charged for the rule violation Inmate Jackson was released back to population. Due to the on-going investigation, Officer Amamoo was restricted from working inside of the institution. On October 13, 2005, it was brought to my

attention the polygraph test could not determine if the incident had taken place, nor did we have any other correlating evidence to substantiate the allegations. Officer Amamoo was permitted work in Dorm #10 and The Tutwiler Annex. While waiting on the final report from the Alabama Department of Correction's Investigation and Intelligence Division (I&I), Inmate Jackson was placed inside of the Restriction Dorm #5 for Protective Custody. On October 21, 2005, Inmate Jackson was released from the Restriction Dorm #5. Inmate Jackson is requesting to take another polygraph test.

Cynthia S. Wheeler 11/17/05

Captain Cynthia S. Wheeler

Date

Sworn and subscribed on this date 17 of November, 2005. My commission expires on 8-14-06.

Lynn Lambert

Notary Public